

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREGORY HAZLETT,)
Plaintiff,)
v.)
CITY OF PINE LAWN and)
OFFICER STEVE LOWMAN,)
Defendants.)
Case No. 4:12CV1715 JAR

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion to Request Pro Bono Public Service, filed on November 5, 2013 (ECF No. 42).¹

With respect to Plaintiff's Motion to Request Pro Bono Public Service, there is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief, whether the plaintiff will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

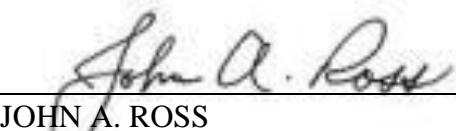
1 The Court construes Plaintiff's Motion to Request Pro Bono Public Service as a motion for appointment of counsel.

After considering Plaintiff's Motion to Request Pro Bono Public Service in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Gregory Hazlett indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Plaintiff's Motion to Request Pro Bono Public Service will therefore be denied.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Request Pro Bono Public Service [42] is **DENIED**.

Dated this 13th day of November, 2013.



John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE